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# ecember 27, 1994

Number of Pages

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Donald J. Silvert

Registration No. 37552

Our Reference:

0035.009/63435

Your Reference:

To:

Examiner M. Woodward

Group 180

United States Patent and Trademark Office

Washington, D.C.

Facsimile:

(703) 305-3014

Telephone:

In re Appin, of:

LUCIW et al.

Serial Number:

**08/089,407** √

Filed: For:

July 28, 1993 HIV IMMUNOASSAYS USING SYNTHETIC ENVELOPE POLYPEPTIDES (AS AMENDED)

Group Art Unit:

1813

Examiner:

M. Woodward

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# COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Attorney Docket No.

2300-0137

As a below named inventor, I hereby declare that:  Ay residence, post office address and citizenship are as stated below next to my name;  BELIEVE I AM THE ORIGINAL. FIRST AND SOLE INVENTOR (if only one name is listed below) OR  AN ORIGINAL. FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT  MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION
NTITLED: HUMAN INMINODEFICIENCY VIRUS (HIV) NUCLEOTIDE SEQUENCES,
ECOMBINANT POLYPEPTIDES, AND APPLICATIONS THEREOF
ne specification of which:
(check is attached hereto; one) was filed on 24 December 1987
Application Serial No. 138,894
and was amended on(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICA-TION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37. CODE OF FEDERAL REGULATIONS, Sec. 1.56 (a) which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.";

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35. United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

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The priority of the earliest applito this application is bereby class	cation(s) (if emy) fil med under 35 U.S.C. fl	ed within a 19;	year prior
I hereby appoint the following attorneys and age in the Patent and Trademark Office connected to connection with international applications directed	herewith and to file, prosecute a	n and to transact nd to transact ai	all business I business in
William H. Benz-Reg.No. 25,952 Thomas E. Ciotti-Reg.No. 21,013 Peter J. Dehlinger-Reg.No. 28,0 Dianne E. Reed-Reg.No. 31,292 Grant D. Green-Reg. No. 31,259	Ronald Craig Fish Gladys H. Monroy- 06 Kate H. Murashige Robert P. Blackbu Lisabeth Feix Mur	Reg.No. 32 -Reg.No. 2: rn-Reg.No.	,430 9,959 30,447
1nd;			
545 Middle	urashige, Irell & Manel field Road, Suite 200 , California 94025	la	·
Address all telephone calls to:Robert	P. Blackburn	at 415	-327-7250.
I hereby declare that all statements made herein information and belief are believed to be true; at that willful false statements and the like so made 1001 of Title 18 of the United States Code and the application or any patent issued thereon.	nd further that these statements ware punishable by fine or impriso	ere made with th nment, or both, t	ne knowledge   under Section
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Please see attached continuation page for additional inventors.

COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUATION PAGE FOR ADDITIONAL INVENTORS		Attorney Docket No.	
		2300-0137	
(This page must be attached to a completed Con	mbined Declaration And P	ower Of Attorney before	ore signing).
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27 Priest Street, San Francisco, CA 94109			
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9082 Broadway Terrace, Oak	land, CA 94611	•	

### COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Attorney Docker No.

2300-0137

(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICA-TION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE:

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (a) which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.";

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35. United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

The priority of the earliest application(s) (if any) filed within a year prior to this application is hereby claimed under 35 U.S.C. \$119;		
I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:		
William H. Benz-Reg.No. 25,952 Thomas E. Ciotti-Reg.No. 21,013 Peter J. Dehlinger-Reg.No. 28,0 Dianne E. Reed-Reg.No. 31,292 Grant D. Green-Reg. No. 31,259 and:	06 Kate H. Murashige Robert P. Blackbu	Reg. No. 32 430
Address all correspondence to:		1.
	ırashige, Irell & Manel field Road, Suite 200	
Menlo Park	, California 94025	
Address all sciephone calls to: Robert	P. Blackburn	<u>415-327</u> -7250.
I hereby declare that all statements made herein o		ed that all statements made on
information and belief are believed to be true; and that willful false statements and the like so made		
1001 of Title 18 of the United States Code and t	hat such willful false statements	may jeopardize the validity of
the application or any patent issued thereon.	SSCHATURE/	DATE
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7729 Crest Avenue, Oakland,	CA 94605	

Messe see attached continuation page for additional investors.

COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUATION PAGE FOR ADDITIONAL INVENTORS		Attorney Docket No.	
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Page 3 of 3

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Allomey Docket No.

2300-0137

As a below named inventor, I hereby dec My residence, post office address and citi	zenship are as stated below next to my name:
AN ORIGINAL, FIRST AND JOINT IN MATTER WHICH IS CLAIMED AND	ST AND SOLE INVENTOR (if only one name is listed below) OR VENTOR (if more than one name is listed below) OF THE SUBJECT FOR WHICH A PATENT IS SOUGHT ON THE INVENTION
ENTITUED: HUMAN IMMUNODEFICE	ENCY VIRUS (HIV) NUCLEOTIDE SEQUENCES,
RECOMBINANT POLYPEPTIDES, AND the specification of which:	APPLICATIONS THEREOF
(check one)	is attached hereto: was filed on24 December 1987as
·	Application Senal No. 138,894
	and was amended on
	(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICA-TION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE:

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William H. Benz-Reg.No. 25,952 Thomas E. Ciotti-Reg.No. 21,013 Peter J. Dehlinger-Reg.No. 28,0 Dianne E. Reed-Reg.No. 31,292 Grant D. Green-Reg. No. 31,259		-Reg.No. 32 e-Reg.No. 29 urn-Reg.No.	,430 9,959
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5040 Dalsy Street, Oakland, CA 9	4619		

Please see attached continuation page for additional inventors.

COMBINED DECLARATION AND POWER OF ATTORNEY		Attorney Docket No.	
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